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UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

NATIONAL URBAN LEAGUE, et al.,

Plaintiffs,

v.

WILBUR L. ROSS, JR., et al.,

Defendants.

CASE NO. 5:20-cv-05799-LHK

**PLAINTIFFS' RESPONSE TO ORDER
 FOR RESPONSE TO EMAILS (DKT.
 238)**

Date: TBD
 Time: TBD
 Place: Courtroom 8
 Judge: Hon. Lucy H. Koh

1 Plaintiffs submit this Response to the Court’s Order for Response to Emails (Dkt. 238).
 2 For the reasons set forth below, Plaintiffs believe that the emails the Court has received continue to
 3 show that enumerators in the field, actually doing the counting, are not confident that the counts
 4 are being done accurately, and are not being allowed to do the job they were hired to do. In
 5 addition, these Census employees’ submissions raise the question of what it means when the
 6 Bureau asserts that a count is 99% complete. It appears that the employees discussing enumeration
 7 would not agree that the count is 99% complete and accurate in their areas.

8 **A. Mr. Nettle**

9 Mr. Nettle has been traveling around the Western U.S. at the behest of the Bureau to help
 10 raise completion. But he can see that cases are being left open in the areas he is being shuttled
 11 from. Defendants have still provided no reasoned explanation for why enumeration activities
 12 should not continue through the end of October as under the COVID-19 Plan. Mr. Nettle’s
 13 account again shows that Defendants are doing everything they can to check off as many
 14 households as complete, seemingly to boost numbers everywhere above 99%, while sacrificing
 15 accuracy and completeness.

16 **B. Anonymous**

17 The Anonymous emailer is an enumerator in the Spokane District of Washington and, like
 18 many others, reports that her supervisors are making “a large push” “to complete cases as quickly
 19 as possible.” Anonymous reports “grave concerns on accuracy” because enumerators are being
 20 told “to close down remaining cases by whatever means necessary.” Anonymous believes this will
 21 lead to “cases prematurely or inaccurately handled when there appears to be time given to
 22 completing our task.” Again, Anonymous’ account shows that Defendants are prioritizing
 23 completion rate, while sacrificing accuracy and completeness.

24 **C. Mr. Pasqualini**

25 As Mr. Pasqualini explains, Mobile Questionnaire Assistance (MQA) goes to areas where
 26 people congregate to help people complete the Census. It is unclear if Mr. Pasqualini’s reference
 27 to October 5 is the same as the text message referred to by Mr. Christy, *see* Dkt. 234-1 ¶ 14, Dkt.
 28 231, or something different. But MQA is an important part of the enumeration process and there is

no reason why it should be terminated while NRFU field operations continue, as they should under the Court's PI Order. Plaintiffs have heard other reports confirming that MQA is being shut down in various locations.

D. Ms. Cooley

Ms. Cooley appears to be an enumerator in Indiana. But she has not been given any work to do for "approximately a month." Plaintiffs are unaware of why a willing and able enumerator would not be given work for a month, if that is Ms. Cooley's situation. This again raises concerns regarding Defendants' compliance with the Court's TRO Order and PI Order.

Dated: September 30, 2020

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ATTESTATION

I, Sadik Huseny, am the ECF user whose user ID and password authorized the filing of this document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred in this filing.

Dated: September 30, 2020

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